

COMMISSIONERS APPROVAL

CHILCOTT *g*

LUND *Bta*

THOMPSON *AT*

TAYLOR (Clerk & Recorder)

Date.....May 4, 2006

Members Present.....Commissioner Greg Chilcott,  
Commissioner Betty Lund and Commissioner Alan Thompson

Minutes: Glenda Wiles

The Board held budget hearing with the Extension Office and the Fair during the morning hours.

The Board addressed several administrative matters as follows:

Commissioner Thompson made a motion to adopt Resolution No. 1853 which is a FY 2006 budget transfer within the Commissioners' Office for \$1,067.00. Commissioner Chilcott seconded the motion and all voted "aye". Commissioner Lund was not present for this vote.

Commissioner Thompson made a motion to approve of the minutes between November 7, 2005 and December 14, 2005. Commissioner Chilcott seconded the motion and all voted "aye". Commissioner Lund was not present for this vote.

The Board reviewed the request for the final approval of the Sacks Agricultural Covenant. Present at this meeting was Consultant Jake Kammerer. Jake expressed his frustration in the fourth letter of credit they had to prepare at the request of Civil Counsel. Jake suggested an example of a letter of credit be given to the consultants so they do not have to 'go to the bank four times to get the wording right in order to satisfy Civil Counsel. Commissioner Lund made a motion to grant the Sacks Revocation of the final Plat with the letter of credit in order to secure the improvements. Commissioner Thompson seconded the motion and all voted "aye".

Commissioner Thompson made a motion to have the Chairman sign a new lease with Flights of Fantasy and Terry Ede on Hangar # 275. Commissioner Lund seconded the motion and all voted "aye".

In other business the Board met to review the Request for Commission Action on the Corvallis Tracts Block 4, Lot 7A, Gerlinger. Present at this meeting was Planner John Lavey, Planner Renee Van Hoven and the Consultant John Horat.

Commissioner Lund read the following statement:

Today's agenda includes one or more land use issues. Because of my years of service as Ravalli County Clerk & Recorder and now as Commissioner and because members of my family are involved in the real estate profession, I am providing this statement in the interest of full and open disclosure. My husband, son and brother-in-law are realtors who conduct business in this county. I do not participate in their real estate business or related matters except as the passive title owner of the building rented by their real estate business. Although connections with my family or their business and the land use issues facing us today are possible, I am not aware of any direct connections and thus do not believe I have any conflicts of interest arising out of my participation in today's meeting.

John presented a power point presentation which included the following staff report:

**CORVALLIS TRACTS, BLOCK 4, LOT 7A, AP  
EXPEDITED MINOR SUBDIVISION  
STAFF REPORT FOR BOARD OF COUNTY COMMISSIONERS**

**CASE PLANNER:** John Lavey

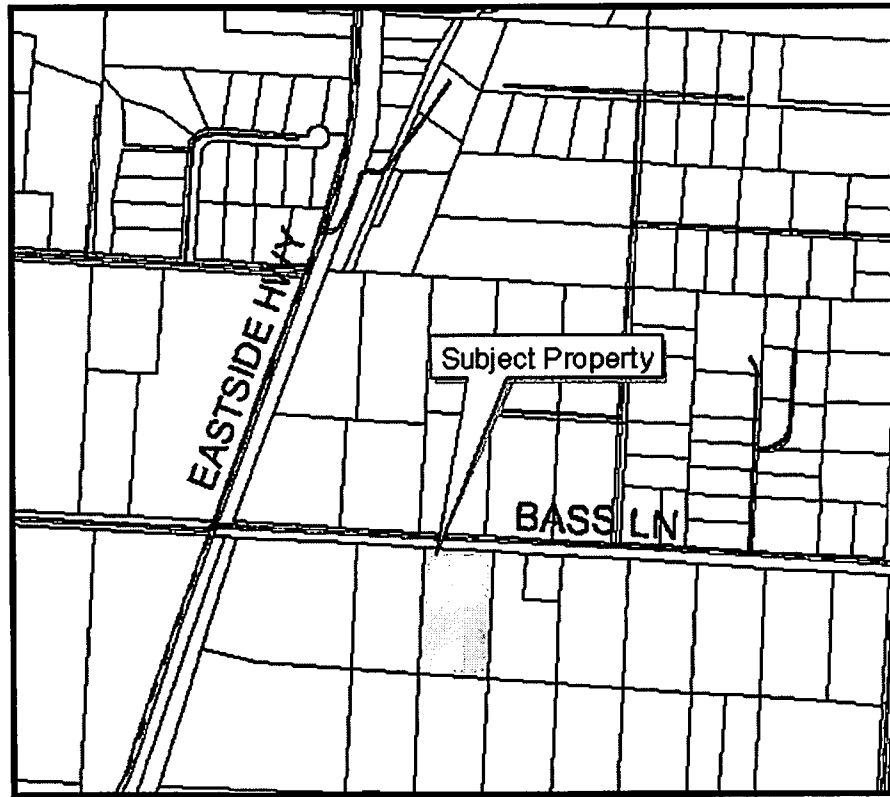
**REVIEWED/  
APPROVED BY:** Renee Van Hoven

**PUBLIC MEETING:** BCC Site Visit: May  
1, 2006  
BCC Public Meeting:  
May 4, 2006  
Deadline for BCC decision (35 working days): May  
31, 2006

**APPLICANT OWNER:** Sally Gerlinger  
711 West Janeaux  
Lewiston, MT 59457

**REPRESENTATIVE:** Bitterroot Engineering & Design  
1180 Eastside Highway  
Corvallis, MT 59828

**LOCATION OF REQUEST:** The property is located south of Corvallis on  
Bass Lane.



**Map 1: Location Map**  
(Data Source: Ravalli County Planning Department)

**LEGAL DESCRIPTION  
OF PROPERTY:**

Lot 7A, Block 4, Corvallis Tracts, located in the NW1/4 of Section 16, T6N, R20W, P.M.M., Ravalli County, Montana.

**APPLICATION  
INFORMATION:**

The subdivision application was determined complete on April 12, 2006. Agencies were notified of the subdivision and comments received by the Planning Department are Exhibits A-1 through A-4 of the staff report.

**LEGAL NOTIFICATION:**

No legal advertisement is required of expedited minor subdivisions. Notice of the project was posted on the property and adjacent landowners were notified by certified mail postmarked April 14, 2006. No public comments have been received to date.

**DEVELOPMENT  
PATTERN:**

Subject property	Residential
North	Residential
South	Residential
East	Residential
West	Residential

RAVALLI COUNTY BOARD OF COUNTY COMMISSIONERS

MAY 4, 2006

CORVALLIS TRACTS, BLOCK 4, LOT 7A, AP  
TWO-LOT EXPEDITED MINOR SUBDIVISION

**RECOMMENDED MOTION**

That the Corvallis Tracts, Block 4, Lot 7A, AP Expedited Minor Subdivision be **approved**, based on the findings of fact and conclusions of law in the staff report and subject to the conditions in the staff report.

**RECOMMENDED MITIGATING CONDITIONS OF APPROVAL FOR THE  
SUBDIVISION**

1. A document entitled "Notifications to Future Property Owners" that includes the following notifications and the attachments listed below shall be included in the submittal of the final plat to the Planning Department and filed with the final plat:

***Notification of Proximity to Agricultural Operations.*** This subdivision is located near existing agricultural activities. Some may find activities associated with normal agricultural activities objectionable and dangerous. *(Effects on Agriculture)*

***Notification of Severe Soils.*** Within this subdivision there are areas of the property identified as potentially having soils rated as severe for road construction and building sites. The approximate locations of these areas can be found on a reduced copy of the final plat and descriptions of the severe soils in question which are included as exhibits to this document (the applicant shall include the exhibits as attachments). *(Effects on Public Health and Safety)*

***Notification of Irrigation Ditch/Pipeline Easements.*** Within this subdivision there are irrigation easements. All downstream water right holders have the right to maintain and repair their ditches/pipelines and diversion structures whenever necessary to keep them in good condition. The filed subdivision plat shows irrigation pipelines and easements on the property. The irrigation district which supply's the water to this property must approve any relocation or alteration (i.e. installation of a culvert) of an irrigation ditch or pipeline. Any act which damages or destroys a ditch/pipeline, interferes with its operation or maintenance in any way, or restricts access to the ditch/pipeline so as to interfere with its maintenance is expressly prohibited. The downstream water right holders have the right to use the easement to maintain the ditch or pipeline. *(Effects on Agricultural Water User Facilities)*

***Notification of Common Access Maintenance Agreement.*** Ravalli County, the State of Montana, or any other governmental entity does not maintain the common access and therefore does not assume any liability for

improper maintenance or the lack thereof. A Common Access Maintenance Agreement for this common access was filed with this subdivision and outlines what parties are responsible for maintenance and under what conditions. *(Effects on Local Services)*

**Limitation of Access onto a County Road.** A "no ingress/egress" restriction is located along the Bass Lane frontage of the subdivision, excepting the approach to the common access that is approved by the Ravalli County Road and Bridge Department, which precludes vehicular access onto this County-maintained road. This limitation of access may be lifted or amended with approval of the County. *(Effects on Local Services & Effects on Public Health and Safety)*

2. Protective covenants for this subdivision shall be submitted with the final plat that include the following provisions:

**Living with Wildlife.** (See Exhibit A-1 for required provisions.) *(Effects on Agriculture, Natural Environment, Wildlife and Wildlife Habitat, and Public Health and Safety)*

**Waiver of Protest to Creation of RSID/SID.** Owners and their successors in interest waive all rights in perpetuity to protest the creation of a city/rural improvement district for any purpose allowed by law, including, but not limited to a community water system, a community waste water treatment system, and improving and/or maintaining the roads that access the subdivision including related right-of-way, drainage structures, and traffic control signs. *(Effects on Local Services)*

**Primary Heat Source.** The primary heat source for the newly constructed residences in this subdivision shall be at least 75% efficient. *(Effects on Natural Environment)*

**Lighting for New Construction.** Full cut-off lighting shall be required for any new construction within this subdivision. A full cut-off fixture means fixtures, as installed, that are designed or shielded in such a manner that all light rays emitted by the fixture, either directly from the lamps or indirectly from the fixture, are projected below a horizontal plane through the lowest point on the fixture where light is emitted. The source of light is fully shielded, top and sides, so as not to emit light upwards or sideways, but only allowing light to shine down towards the subject that is to be lighted. Spotlighting of flag poles shall be permitted. *(Effects on Public Health & Safety)*

**Control of Noxious Weeds.** Lot owners shall control the growth of noxious weeds on their respective lot(s). *(Effects on Natural Environment)*

**Radon Exposure.** The owner understands and accepts the potential health risk from radon concentrations, which are presently undetermined at this

location. Unacceptable levels of radon can be reduced through building design and abatement techniques incorporated into structures. *(Effects on Public Health and Safety)*

***Required Posting of County-Issued Addresses for Lots within this Subdivision.*** The Corvallis Rural Fire District has adopted Fire Protection Standards which require the lot owners to post County-issued addresses at the intersection of the driveways leading to the primary residence and the road providing access to the lot as soon as construction on the residence begins. *(Effects on Local Services & Effects on Public Health and Safety)*

***Access Requirements for Lots within this Subdivision.*** The Corvallis Rural Fire District has adopted the Uniform Fire Code. All accesses, including driveways to residences over 150' in length, must have a minimum unobstructed travel surface width of 20', a vertical clearance of 13'6", maximum grade of 6%, and an all weather surface that can accommodate the weight of a fire truck to meet requirements of the Uniform Fire Code. Please contact the Corvallis Rural Fire District at PO Box 13, Corvallis, MT, for further information on the requirements of the Corvallis Rural Fire District and/or the Uniform Fire Code. *(Effects on Local Services & Effects on Public Health and Safety)*

***Amendment.*** The covenants filed with the final plat shall state that written governing body approval shall be required for amendments to provisions of the covenants listed above, that are required to be included as a condition of subdivision approval. *(Effects on all six criteria)*

3. The subdividers shall include an RSID/SID waiver in a notarized document filed with subdivision plat that states the following: Acceptance of a deed for a lot within this subdivision shall constitute the assent of the owners and any successors in interest to any future RSID/SID, based on benefit, for a community wastewater system, community water system, or upgrading roads leading to or within the subdivision, including but not limited to paving, curbs and gutters, non-motorized transportation facilities, street widening, and drainage facilities. *(Effects on Local Services)*
4. The applicant shall place an encumbrance on the final plat that a \$250 contribution shall be made to the Corvallis School District upon first conveyance, including lease or rent, of Lot 7A1. *(Effects on Local Services)*
5. The applicant shall provide a letter from the Corvallis Rural Fire District stating that they have provided the required 1,000 gallons per minute water supply or 2,500 gallons per minute water storage for fire protection for each lot within this subdivision. Alternatively, the applicant may provide evidence of a \$500 per lot contribution made to the Corvallis Rural Fire District with the final plat submittal in lieu of the required water supply or water storage for fire protection. *(Effects on Local Services & Effects on Public Health and Safety)*

6. The subdivider shall provide evidence with the final plat submittal that they have applied for County-issued addresses for each lot within this subdivision. *(Effects on Local Services & Public Health and Safety)*
7. The final plat shall show a no ingress/egress zone along the Bass Lane frontage of the subdivision, excepting the approach for the Common Access, as approved by the Road and Bridge Department. *(Effects on Local Services & Effects on Public Health and Safety)*
8. All existing and proposed irrigation easements shall be shown on the final plat. *(Effects on Agricultural Water User Facilities)*
9. The approach to the common access shall be paved a minimum of 20 feet wide from the surface of Bass Lane back to the edge of the right-of-way/easement boundary or a distance of 20 feet, whichever is greater, or as required by the Road Department, if specified in the approach permit. *(Effects on Local Services)*
10. The existing driveway accessing the existing home on lot 7A2 shall be abandoned. *(Effects on Local Services)*

#### **INTRODUCTION**

Corvallis Tracts, Block 4, Lot 7A, AP is a two-lot expedited minor subdivision proposed on 5.2 acres. The property is located approximately 1.7 miles southeast from Corvallis off Bass Lane. It is located in the Corvallis School District and the Corvallis Rural Fire District. There is currently one existing single family residential structure on the property and the proposal is for an additional single family lot.

*Staff is recommending conditional approval of the subdivision.*



## **SUBDIVISION REPORT**

### **COMPLIANCE WITH PRIMARY SUBDIVISION REVIEW CRITERIA**

#### **CRITERION 1: EFFECTS ON AGRICULTURE**

##### **Findings of Fact:**

1. The property is not currently being used for agriculture.
2. The property is adjacent to other residential properties, but there may be agricultural activities in the vicinity. To mitigate impacts on agriculture, a notification of proximity to agricultural operations shall be included in the notifications document. (*Condition 1*)
3. There are no Prime Farmland Soils or Farmland of Statewide Importance associated with this property.

##### **Conclusion of Law:**

With the mitigating condition, impacts of this subdivision on surrounding agricultural practices should be minimized.

#### **CRITERION 2: EFFECTS ON AGRICULTURAL WATER USER FACILITIES**

##### **Findings of Fact:**

1. An irrigation mainline is located along the southern boundary of the property within a 10-foot wide easement. A spur line, within a 10-foot wide easement, is proposed to be extended from the existing line north to the southern boundary of Lot 7A1. To mitigate impacts on agricultural water user facilities, all existing and proposed irrigation easements shall be shown on the final plat and a notification of the easements shall be included in the Notifications document. (*Conditions 1 & 8*)
2. According to the application, the property has water rights from the Daly Ditches Irrigation District. Since the water rights are held by the Irrigation District, an Irrigation Plan is not required.
3. In accordance with final plat requirements, when irrigation facilities are to be altered or relocated, the applicant is required to get written notarized documentation of approval of the alteration from the Irrigation District. This provision applies to the extension of the existing infrastructure to serve lot 7A1. A letter from the Daly Ditches Irrigation District, dated March 3, 2006, states their approval of the re-allocation of water rights and Irrigation Plan. (*Application*)
4. As a requirement of final plat approval, all irrigation infrastructure must be installed prior to final plat approval. (*Condition 1*)

##### **Conclusion of Law:**

Impacts to agricultural water user facilities will be minimized through the mitigating condition and requirements of final plat approval.

#### **CRITERION 3: EFFECTS ON LOCAL SERVICES**

##### **Findings of Fact:**

1. It is unknown if Bass Lane, a County-maintained road, meets County standards and if not, the applicant will be required to pay the pro-rata share of the cost to improve the portion of Bass Lane that leads to the subdivision from Eastside Highway.
2. The applicant is proposing a common access to serve both lots. An approved approach permit is a requirement of final plat approval. To limit access onto Bass Lane and to mitigate impacts on local services, the final plat shall show a non ingress/egress zone along the Bass Lane frontage of Lot 7A1 and Lot 7A2, excepting the approved approach permit from the Ravalli County Road and Bridge Department for the common access. A Notification of this limitation of access shall also be included in the Notifications Document. (*Conditions 1 & 7*)
3. A preliminary Common Access Maintenance Agreement was proposed for the proposed common access and a final copy is required to be submitted with the final plat application. A notification of the Common Access Maintenance Agreement shall be included in the Notifications Document. (*Condition 1*)
4. To mitigate impacts on local services, the approach to the common access shall be paved a minimum of 20 feet wide from the surface of Bass Lane back to the edge of the right-of-way/easement boundary or a distance of 20 feet, whichever is greater, or as required by the Road Department, if specified in the approach permit. (*Condition 9*)
5. To mitigate impacts on local services, the applicant shall abandon the existing driveway that accesses the existing house on Lot 7A2. (*Condition 10*)
6. Installation of all infrastructure improvements is required to be completed prior to final plat approval, which includes construction of the common access and removal of the existing driveway.
7. Individual wells and septic systems are proposed to serve the lots. (*See Natural Environment*)
8. To mitigate potential impacts of this subdivision on any possible future public water, sewer system, or improvements to the road system, the RSID/SID waiver filed with the final plat shall address these services/facilities. (*Conditions 2 & 3*)
9. Bitterroot Disposal provides service to this site.
10. The applicants stated they will be making a contribution of \$250 to the Corvallis School District upon first conveyance of Lot 7A1. (*Condition 4*)
11. The subdivision is located within the Corvallis Rural Fire District. The Corvallis Rural Fire District has provided general comments on subdivision proposals, indicating they have adopted a policy which addresses access, posting of addresses, and water supply requirements. Conditions of approval will meet the recommendations of the Corvallis Rural Fire District. (*Exhibit A-3*) (*Conditions 2, 5, & 6*)
12. Adequate public services are available to the subdivision.
13. The Ravalli County Sheriff's Office provides law enforcement services to this area.

**Conclusion of Law:**

With the conditions of approval and requirements of final plat approval, impacts of the subdivision on local services will be mitigated.

**CRITERION 4: EFFECTS ON THE NATURAL ENVIRONMENT**

**Findings of Fact:**

1. The 5.2-acre property currently has one single family dwelling with the remainder of the property composed of grasses.
2. Individual wells and septic systems are proposed for lots within this subdivision. The Environmental Health Department has provided a comment letter dated April, 7 2006, that is included in the application packet, which states adequate information has been submitted to their office for local subdivision review to occur. A Certificate of Subdivision Plat Approval from Montana Department of Environmental Quality is required to be submitted with the final plat.
3. To mitigate air pollution resulting from home heating emissions, protective covenants shall be filed with the final plat stating that the primary heat source for any newly constructed residences must be at least 75% efficient. (*Condition 2*)
4. An approved noxious weed and vegetation control plan is required to be filed with the final plat. According to MCA 7-22-2152, any person proposing a development that needs state or local approval and that results in the potential for noxious weed infestation within a weed district shall notify the weed board at least 15 days prior to activity. Consequently, 15 days prior to activities requiring a revegetation plan, such as road construction, the plan shall be submitted to the weed board for approval by the board (*Condition 2*).

**Conclusion of Law:**

Impacts from this subdivision on the natural environment will be minimized with the requirements of final plat approval and imposition of mitigating conditions.

**CRITERION 5: EFFECTS ON WILDLIFE AND WILDLIFE HABITAT**

**Findings of Fact:**

1. The property is not located within the Montana Fish, Wildlife, and Parks (FWP) identified big game winter range and there are no species of special concern listed in the vicinity of the property.
2. FWP requested that living with wildlife provisions be included in the covenants to mitigate impacts on wildlife and wildlife habitat. ~~(Exhibit A)~~ (*Condition 2*)

**Conclusion of Law:**

With the condition of approval, the proposed subdivision will likely have a minimal impact on wildlife.

**CRITERION 6: EFFECTS ON PUBLIC HEALTH AND SAFETY**

**Findings of Fact:**

1. The preliminary plat and soil map indicates there are soil types on the property that are considered severe for construction of roads and/or buildings. To mitigate potential impacts on public health and safety, a notification of severe soils shall be in the Notifications Document filed with the final plat. (*Condition 1*)
2. To mitigate impacts on public health and safety, the subdivider shall apply for County-issued addresses and a provision requiring property owners to post County-issued addresses at their driveways shall be in the covenants. (*Conditions 2 & 6*)

3. The proposed subdivision is located within the Corvallis Rural Fire District and with Conditions 2, 5, & 6, impacts to the District will have been addressed.
4. To mitigate the impacts of light pollution stemming from new construction, the protective covenants shall include a provision requiring full cut-off lighting with the exception of flag poles. (*Condition 2*)
5. There is a prevalence of radon in the County and to mitigate impacts on public health and safety, the covenants shall include a statement regarding radon exposure. (*Condition 2*)
6. With the conditions and requirements of final plat approval, access to the subdivision will be adequate for public health and safety. (*Effects on Local Services*)

**Conclusion of Law:**

The mitigating conditions and requirements of final plat approval will address impacts on public health and safety.

**COMPLIANCE WITH:**

**1) THE SURVEY REQUIREMENTS PROVIDED FOR IN PART 4 OF M.C.A. 76-3.**

**Finding of Fact:**

The Seal of a Professional Land Surveyor or Engineer is required on all final plats, which states that the subdivision complies with part 4 of M.C.A. 76-3.

**Conclusion of Law:**

This proposal meets the survey requirements or conditions have been required to bring the proposal into compliance.

**2) THE LOCAL SUBDIVISION REGULATIONS PROVIDED FOR IN PART 5 OF M.C.A. 76-3.**

**Finding of Fact:**

Subdivisions are required to comply with the local subdivision regulations provided for in part 5 of M.C.A. 76-3.

**Conclusion of Law:**

The developer has submitted a plan which complies with the requirements of local subdivision regulations or conditions have been required that will bring the plan into compliance.

**3) THE LOCAL SUBDIVISION REVIEW PROCEDURE PROVIDED FOR IN THE RAVALLI COUNTY SUBDIVISION REGULATIONS**

**Findings of Fact:**

1. Subdivisions are required to comply with the local subdivision review procedure provided for in the Ravalli County Subdivision Regulations.
2. A decision of the governing body rejecting or approving a proposed subdivision may be appealed to the district court within thirty (30) days of such decision. The petition shall specify the grounds upon which the appeal is made. An appeal may be made by the subdivider; a landowner with a property boundary contiguous to the proposed subdivision or a private

landowner with property within the unincorporated area of the county that can show a likelihood of material injury to the landowner's property or its value; a first class municipality if the subdivision is within three miles of its limits, a second class municipality if a subdivision is within two miles of its limits, a third class municipality or town if the subdivision is within one mile of its limits. An aggrieved party means a person who can demonstrate a specific personal and legal interest, as distinguished from a general interest, who has been or is likely to be specially and injuriously affected by the decision.

**Conclusion of Law:**

This development plan proposal has followed the necessary application procedure and has been reviewed within the procedures provided in Chapter 3 of the Ravalli County Subdivision Regulations.

**CONSISTENCY WITH EXISTING ZONING AND COVENANTS**

**Findings of Fact:**

1. There is no existing zoning on the property.
2. There are no existing covenants on the property.

**Conclusions of Law:**

The property has no zoning or covenants.

**PROVISION OF EASEMENTS FOR UTILITIES**

**Finding of Fact:**

The proposed subdivision will be served by Montana Power Company, Ravalli Electric Cooperative, and Qwest Telephone. Utility certificates are a requirement of final plat approval.

**Conclusion of Law:**

Utility services will be available to this subdivision.

**PROVISION OF LEGAL AND PHYSICAL ACCESS**

**Finding of Fact:**

Physical and legal access for this subdivision is proposed via Bass Lane, which is a County-maintained road, and a proposed common access between Lot 7A1 and 7A2. (*Local Services*)

**Conclusion of Law:**

With the conditions of approval and requirements of final plat approval, the proposal meets physical and legal access requirements.



PLANNING DEPARTMENT  
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JLAVEY@RAVALLICOUNTY.MT.GOV

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## MEMORANDUM

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Date: May 1, 2006  
To: Board of County Commissioners  
From: John Lavey  
Re: Corvallis Tracts, Block 4, Lot 7A, AP – Additional Findings and Conditions for Staff Report  
cc: Subdivision File  
Outgoing Correspondence File – OG-06-05-526  
John Horat  
Sally Gerlinger

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STAFF RECOMMENDS THAT THE ADDITIONAL CONDITIONS AND FINDINGS OF FACT, WHICH ARE NOTED IN UNDERLINE/~~STRIKETHROUGH~~, BE AMENDED IN THE STAFF REPORT:

**RECOMMENDED MITIGATING CONDITIONS OF APPROVAL FOR THE SUBDIVISION**

2. Protective covenants for this subdivision shall be submitted with the final plat that include the following provisions:

**ACCESS REQUIREMENTS FOR LOTS WITHIN THIS SUBDIVISION. THE CORVALLIS RURAL FIRE DISTRICT HAS ADOPTED THE UNIFORM FIRE CODE. ALL ACCESSES, INCLUDING DRIVEWAYS TO RESIDENCES OVER 150' IN LENGTH ~~MUST HAVE A MINIMUM UNOBSTRUCTED TRAVEL SURFACE WIDTH OF 20'~~ SHALL BE CONSTRUCTED TO HAVE AN 18-FOOT WIDE GRAVEL TRAVEL SURFACE WITH TWO-FOOT SHOULDERS ON EACH SIDE, A VERTICAL CLEARANCE OF 13'6", MAXIMUM GRADE OF 6%, AND AN ALL WEATHER SURFACE THAT CAN ACCOMMODATE THE WEIGHT OF A FIRE TRUCK TO MEET REQUIREMENTS OF THE UNIFORM FIRE CODE. PLEASE CONTACT THE CORVALLIS RURAL FIRE DISTRICT AT PO BOX 13, CORVALLIS, MT, FOR FURTHER INFORMATION ON THE REQUIREMENTS OF THE CORVALLIS RURAL FIRE DISTRICT AND/OR THE UNIFORM FIRE CODE. (EFFECTS ON LOCAL SERVICES & EFFECTS ON PUBLIC HEALTH AND SAFETY)**

- 11. THE APPLICANT SHALL CONSTRUCT THE DRIVEWAY LEADING TO LOT 7A2 TO HAVE AN 18-FOOT WIDE GRAVEL TRAVEL SURFACE WITH TWO-FOOT SHOULDERS ON EACH SIDE AND PROVIDE EVIDENCE THAT THE DRIVEWAY HAS BEEN APPROVED BY THE CORVALLIS RURAL**

FIRE DEPARTMENT PRIOR TO FINAL PLAT APPROVAL. (EFFECTS ON LOCAL SERVICES & PUBLIC HEALTH AND SAFETY).

**Criterion 3: Effects on Local Services**

**FINDINGS OF FACT:**

11. THE SUBDIVISION IS LOCATED WITHIN THE CORVALLIS RURAL FIRE DISTRICT. THE CORVALLIS RURAL FIRE DISTRICT HAS PROVIDED GENERAL COMMENTS ON SUBDIVISION PROPOSALS, INDICATING THEY HAVE ADOPTED A POLICY WHICH ADDRESSES ACCESS, POSTING OF ADDRESSES, AND WATER SUPPLY REQUIREMENTS. IN AN EMAIL AND SUBSEQUENT PHONE CALL DATED APRIL 28, 2006, JIM KNAPP, THE CORVALLIS RURAL FIRE DISTRICT'S CHIEF, STATED THAT THE DRIVEWAY LEADING TO THE HOUSE ON LOT 7A2 SHOULD BE CONSTRUCTED TO HAVE AN 18-FOOT WIDE GRAVEL TRAVEL SURFACE WITH 2-FOOT SHOULDERS ON EACH SIDE. CONDITIONS OF APPROVAL WILL MEET THE RECOMMENDATIONS OF THE CORVALLIS RURAL FIRE DISTRICT. (EXHIBIT A-3 & A-5) (CONDITIONS 2, 5, 6, & 11)

**Criterion 6: Effects on Public Health and Safety**

**FINDINGS OF FACT:**

3. THE PROPOSED SUBDIVISION IS LOCATED WITHIN THE CORVALLIS RURAL FIRE DISTRICT AND WITH CONDITIONS 2, 5, 6, & 11, IMPACTS TO THE DISTRICT WILL HAVE BEEN ADDRESSED.

Public comment was called for. John Horat stated he agrees with the staff report and stated he appreciates the good job done by John Lavey. John Horat stated there were covenants on the property but they have expired. He reviewed the fire code and visited with Jim Knapp of the Corvallis Fire Department in regard to the distance and location of the drive from the house. John stated Jim was more concerned about the location (200') and width of the drive due to the need to move and stretch out the fire hoses. John stated there is an open field all around the house and that should satisfy any need for hose placement. He stated he was somewhat puzzled and concerned about Jim's request. Commissioner Thompson stated this is 150' and 18' wide, not 200'.

Commissioner Chilcott stated he did not understand the distance in the same manner as John Horat. He read it to be the whole road at 18' in width. John Horat stated that is staff's recommendation, but in his conversation with Jim Knapp it was different. Commissioner Thompson stated there appears to be a contradiction in the county's requirement, yet requiring approval of the Corvallis Fire Department, which in this case is different than the 18'. Commissioner Chilcott stated he reads it as being constructed at 18' due to the length of the road.

John Horat concurred but expressed his surprise when he visited with Jim Knapp on the telephone. Jim Knapp stated it is 'not that big of a deal' and they can deal with their request.

Renee stated this is not under the subdivision road regulations since it is an expedited review. Renee stated the fire department apparatus does not specify the length, just that it does not have any obstructions for 20'. John Horat stated he would like to satisfy the Fire Department and a letter could be sent to that effect since this is not specified in the road regulations.

Commissioner Lund stated that was fine to satisfy the Fire Department's request. Commissioner Chilcott stated he agrees to construct this (road) to fire department standards, but 'he gets nervous' when there are different standards from all the different districts. Renee stated the Fire Council recommends 20', but this recommendation of 18' is from the Corvallis Fire Department.

Commissioner Thompson stated the Board agreed the grade would be 10% in the county and Corvallis Fire Department would like to see no more than 6%. He stated he lives on Dutch Hill and the grade is 12.2%, which the Fire Department has no trouble accessing.

John Lavey stated his conversation with Jim Knapp was the Fire Department wanted 18' from the house to Bass Lane. Obviously the conversation with John Horat was different. Renee stated the regulations do not deal with driveways. Therefore in this case they have the usual Corvallis letter for the 20' drive if the drive is 150' long. The other thing to consider is the conversation between Jim and John Horat .

Commissioner Lund asked about Bass Lane having a 50' easement and asked if the applicant will give 5' to the easement. John Horat stated that would be fine and there should be some pro rata portion in exchange. Renee stated they will subtract the 5' easement from the pro rata share.

Commissioner Lund stated Condition #5 should show the contribution of \$500.00 for the new lot.

Commissioner Lund made a motion to approve Corvallis Tracks Block 4, Lot 7A AP with the staff report and to include correcting Condition #5 to allow for a \$500.00 contribution for Lot 7A-1 and add Condition #11 as shown in the addendum and add Condition #12 with a 5' easement in front of Lot 7A, based on the findings of fact and conclusions of law. Commissioner Thompson seconded the motion and all voted "aye".

In other business the Board met with Julie Foster of the Economic Development Authority in regard to a Community Development Block Grant request for the hiring and training at the GlaxoSmithKline (GSK) Lab. Also present was Patti Furniss of the Bitterroot Job Service, Gary Christianson, Darrin Heitmann and Vicki Hudson of GSK. Mayor Jessica Randezzo came late to the meeting.

Gary gave some back ground to the site history of the original Ribi ImmunoChem Research Lab Inc., which was purchased by Corixa and most recently by GSK. Gary explained what the lab does in regard to research and development, manufacturing



adjuvants which are products (also called MPL) that can be added to vaccines to enhance the vaccine's effects. They are currently working on various vaccines and are the world's leader in vaccine products. Gary also explained the facility expansion for phase 1 and the new job estimates. They anticipate a total of 156 new jobs for the staffing of new jobs. Gary also anticipates the total number to be much higher than the 156 jobs. Gary felt the production line, production support, maintenance etc. will be hired locally. The other staff such as supervisory, administration, security, I.T. support etc. might be from the open market nation wide. They anticipate the expansion to be approximately 110 million dollars.

Their current challenge has been the transition from the research and development based to a manufacturing based site operations for MPL. Hiring is also a challenge due to the doubling of the number of personnel, along with the training and integration of the staff. Gary indicated the line production staff would start out in the middle \$20,000 to low \$30,000.00 range with benefits, shift differential etc.

Julie stated they would like the Commissioners to hold a public hearing, explaining what CDBG funds are and what is available. After two weeks another public hearing would be held by the Commissioners where the public can introduce their project proposals, which will include GSK. The Commissioners will then chose a priority project and apply for the CDBG funds. GSK indicated if they were chosen for a CDBG project, they hope to utilize those funds in training. It was agreed Glenda will work with Julie and ascertain what dates and legal notices need to be run for the public hearings on this CDBG funding.

In other business the Board met with the Salary Compensation Board.